



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS  
COMMISSION  
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**Report No. TEL-00371S**

**Friday March 23, 2001**

## **STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING**

### **SECTION 214 APPLICATIONS (47 C.F.R. § 63.18); CABLE LANDING LICENSE APPLICATIONS (47 C.F.R. § 1.767) REQUESTS TO AUTHORIZE SWITCHED SERVICES OVER PRIVATE LINES (47 C.F.R. § 63.16); SECTION 310(B)(4) REQUESTS**

Unless otherwise specified, the following procedures apply to the applications listed below:

The international Section 214 applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications are for authority under Section 214 of the Communications Act, 47 U.S.C. § 214, (a) to transfer control of an authorized carrier or to assign a carrier's existing authorization; and/or (b) to become a facilities-based international common carrier; and/or (c) to become a resale-based international common carrier.

Pursuant to Section 63.12 of the rules, these Section 214 applications will be granted 14 days after the date of this public notice (see 47 C.F.R. § 1.4 regarding computation of time), and the applicant may commence operations on the 15th day, unless the Commission has informed the applicant in writing, within 14 days after the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing.

Communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. An application can be removed from streamlined processing only in the sound discretion of Commission staff. The filing of comments or a petition to deny will not necessarily result in an application being deemed ineligible for streamlined processing.

The petitions for declaratory ruling listed below are (1) for authority under Section 310(b)(4) of the Communications Act, 47 U.S.C. § 310(b)(4), to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees, or (2) under Section 63.16 of the rules, to add a foreign market to the list of markets for which carriers may provide switched services over private lines. The requested rulings will be granted 14 days after the date of this public notice, effective the next day, unless the application is formally opposed or the Commission has informed the applicant in writing, within 14 days of the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing. For this purpose, a formal opposition shall be sufficient only if it is received by the Commission and by the applicant within 14 days of the date of this public notice and its caption and text make it unmistakably clear that it is intended to be a formal opposition.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

We request that comments on any of these applications refer to the application file number shown below.

## Petition for Declaratory Ruling

On February 12, 2001, Cook Inlet/VS GSM V PCS, LLC (CIVS V) filed a Petition for Declaratory Ruling, pursuant to section 310(b)(4) of the Act, requesting that the Commission find it would serve the public interest to allow indirect foreign ownership of CIVS V in amounts exceeding 25 percent. This increase in attributable foreign ownership would occur if the parent company of CIVS V exercises its right to call additional capital from VoiceStream PCS BTA I Corporation (VS BTA I), a wholly owned indirect subsidiary of VoiceStream Wireless Corporation., increasing VoiceStream's indirect equity interest in CIVS V to levels of up to 85 percent. As of the date of the Petition, petitioner states that the foreign ownership interests in VoiceStream are held primarily by four entities and that the percentages for each were calculated based on all exercises of options, stock conversions and other stock transactions that affect the ownership and voting interests in VoiceStream through the date of the petition. These entities include both Hutchison Telecommunications PCS (USA) Limited and Hutchison Telecommunications Holdings (USA) Limited, both British Virgin Islands corporations and wholly owned subsidiaries of Hutchison Whampoa Limited, a Hong Kong limited liability holding company (19.80% equity and 21.92% voting); Deutsche Telekom AG, a corporation organized under the laws of the Federal Republic of Germany (11.07% equity and 1.53% voting); Telephone and Data Systems, a Delaware corporation, a portion of which is owned by foreign investors, resulting in an indirect foreign ownership interest attributable to VoiceStream (1.51% equity and .98% voting); and Sonera Limited, a Finnish company (6.72% equity and 7.44% voting). The Finnish government, as of May 4, 2000, owns 53.3% of Sonera Corporation. The Federal Republic of Germany presently owns 60% of Deutsche Telekom.

## Petition for Declaratory Ruling

On February 27, 2001, VoiceStream Wireless Corporation (VoiceStream) filed a Petition for Declaratory Ruling, pursuant to section 310(b)(4) of the Act, requesting that the Commission find it would serve the public interest to allow indirect foreign ownership of GTE Wireless of Cincinnati LLC (GTE Cincinnati) in excess of 25 percent that would occur upon consummation of a proposed transfer of control of GTE Cincinnati to a wholly owned indirect subsidiary of VoiceStream. Specifically, VoiceStream requests in the alternative that the Commission declare that its prior decisions authorizing foreign ownership in VoiceStream in excess of 25% apply to GTE Cincinnati or, if necessary, declare that the indirect foreign ownership in GTE Cincinnati resulting from consummation of the transfer control and VoiceStream's currently authorized foreign ownership is permissible under section 310(b)(4).

In support of the second alternative ruling, VoiceStream states that the transfer of control would have no impact on its current foreign ownership, which is as follows: As of the date of the Petition, foreign interests in VoiceStream are held primarily by four entities in amounts that have been calculated based on all exercises of options, stock conversions and other stock transactions that affect the ownership and voting interests in VoiceStream through the date of the petition. These entities include both Hutchison Telecommunications PCS (USA) Limited and Hutchison Telecommunications Holdings (USA) Limited, both British Virgin Islands corporations and wholly owned subsidiaries of Hutchison Whampoa Limited, a Hong Kong limited liability holding company (19.80% equity and 21.92% voting); Deutsche Telekom AG, a corporation organized under the laws of the Federal Republic of Germany (11.07% equity and 1.53% voting); Telephone and Data Systems, a Delaware corporation, a portion of which is owned by foreign investors, resulting in an indirect foreign ownership interest attributable to VoiceStream (1.51% equity and .98% voting); and Sonera Limited, a Finnish company (6.72% equity and 7.44% voting). The Finnish government, as of May 4, 2000, owns 53.3% of Sonera Corporation. The Federal Republic of Germany presently owns 60% of Deutsche Telekom.

## International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to operate as a facilities-based carrier in accordance with the provisions of Section 63.18(e)(1) of the rules and also to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

## International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service

Application for authority to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

## International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based AND Resale Service

Application for authority to operate as a facilities-based carrier in accordance with the provisions of Section 63.18(e)(1) of the rules and also to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-214-20010309-00136**

GLOBAL NETWORK ACCESS CORP.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to operate as a facilities-based carrier in accordance with the provisions of Section 63.18(e)(1) of the rules and also to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-214-20010309-00142**

E. C. TEL INC.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based AND Resale Service

Application for authority to operate as a facilities-based carrier in accordance with the provisions of Section 63.18(e)(1) of the rules and also to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-214-20010312-00143**

CYBER MESH, INC.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-214-20010312-00144**

ECONOPHONE HELLAS S.A., INC.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-214-20010313-00139**

WALNUT HILL TELEPHONE COMPANY

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-214-20010313-00140**

HORIZON PHONE CARD, INC.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service, Switched Services over Private Lines (ISR)

Application for authority to operate as a facilities-based carrier in accordance with the provisions of Section 63.18(e)(1) of the rules and also to provide service in accordance with the provisions of Section 63.18(e)(2) of the rules.

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**ITC-T/C-20010227-00145**

JOSEPH J. SIMONS, TRUSTEE

Transfer of Control

**Current Licensee:** JOSEPH J. SIMONS, TRUSTEE

**FROM:** GTE WIRELESS OF CINCINNATI LLC

**TO:** VOICESTREAM PCS BTA I LICENSE CORPORATION

Application to transfer control of GTE Wireless of Cincinnati LLC from Joseph J. Simons, Trustee, to VoiceStream PCS BTA I License Corporation.

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#### REMINDERS:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001-.2003.

The Commission most recently amended its rules applicable to international telecommunications common carriers in IB Docket No. 98-118, Review of International Common Carrier Regulations, FCC 99-51, released March 23, 1999, 64 Fed. Reg. 19,057 (Apr. 19, 1999). An updated version of Section 63.09-.24 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>.